

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

vs.

JUAN JIMENEZ-DE LA ROSA

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CASE NO. 99-00118-003 (PG)

MOTION NOTIFYING VIOLATION OF CONDITIONS OF RELEASE AND
REQUESTING THE ISSUANCE OF A WRIT OF HABEAS CORPUS AND AN ORDER
TO SHOW CAUSE HEARING

TO THE HONORABLE JUAN M. PEREZ-GIMENEZ
SENIOR U.S. DISTRICT JUDGE
DISTRICT OF PUERTO RICO

COMES NOW, *Martín De Santiago*, SENIOR U.S. PROBATION OFFICER of this Court, presenting an official report on the conduct and attitude of releasee, Juan Jiménez-De La Rosa, who on August 11, 2000, was sentenced to eighty-seven (87) months of imprisonment, to be followed by eight (8) years of supervised release after having pleaded guilty of violating Title 21, United States Code, § 963 and Title 18, United States Code, § 2, to wit: Aiding and abetting in the attempt to import controlled substances into the United States. As special conditions, he was ordered to remain outside the United States, and all places subject to its jurisdiction if deported or granted voluntary surrender, unless written permission to reenter was obtained from pertinent legal authorities, as well not unlawfully possessing controlled substances, firearms, destructive devices, or other dangerous weapons.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE
AS FOLLOWS:**

Since his release from custody, the offender has violated the following conditions:

1. **SPECIAL CONDITION NO. 2 - "IF DEPORTED OR GRANTED VOLUNTARY DEPARTURE, THE DEFENDANT SHALL REMAIN OUTSIDE THE UNITED STATES, AND ALL PLACES SUBJECT TO ITS JURISDICTION UNLESS PRIOR WRITTEN PERMISSION TO REENTER IS OBTAINED FROM THE PERTINENT LEGAL AUTHORITIES AND THE DEFENDANT NOTIFIES IN WRITING THE PROBATION OFFICER OF THIS COURT TO THAT EFFECT."**

Mr. Jiménez-De La Rosa was removed from the United States by the United States Immigration and Naturalization Service on October 19, 2005. On June 23, 2006, Mr. Jimenez-De La Rosa, along with another individual, was found by Puerto Rico Police Officers onboard of a vessel within the vicinity of Punta Borinquen. Subsequently, the U.S. Border Patrol was contacted and the offender was thereafter arrested as it was determined that his entry to this jurisdiction was unauthorized. Since, he has been administratively detained at the Metropolitan Detention Center, Guaynabo, P.R.

WHEREFORE, I declare under a penalty of perjury that the foregoing is true and correct, and it is respectfully requested, that the Warden at the Metropolitan Detention Center in Guaynabo, P.R. be ordered to release the offender to the U.S. Marshal Service

so that he may be brought before this court for an Order to Show Cause Hearing. Thereupon, he to be dealt with pursuant to law.

In San Juan, Puerto Rico, this 13th day of July 2006.

Respectfully submitted,

EUSTAQUIO BABILONIA, CHIEF
U.S. PROBATION OFFICER

s/Martin De Santiago
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MDS/

CERTIFICATE OF SERVICE

I HEREBY certify that on July 13, 2006, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Warren Vázquez, Assistant U.S. Attorney, and to Defense Counsel, Lydia Lizarribar-Buxo.

s/Martin De Santiago
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